

Notice of Allowability

Application No.

09/996,454

Examiner

Jeremy R. Pierce

Applicant(s)

WIRYCZ ET AL.

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After-final Amendment filed on May 10, 2005.
2. ☒ The allowed claim(s) is/are 1-3,5-20,23 and 24.
3. ☒ The drawings filed on 20 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Elizabeth M. Cole
ELIZABETH M. COLE
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Touslee on May 23, 2005.

The application has been amended as follows:

Please amend the claims as follows:

1. (currently amended) A process of manufacturing a designed fiberglass wall covering comprising:

- (a) providing a fiberglass fabric;
- (b) impregnating the glass fabric by applying a chemical dispersion to the glass fabric wherein said chemical dispersion is provided as a water based and comprises dispersion comprising starch and a polymeric binder;
- (c) drying the treated glass fabric;
- (d) subsequently forming a first image coating on one side of said treated glass fiber fabric by selectively applying a hydrophobic primary image coating to a portion of the treated glass fabric;
- (e) subsequently forming a second image coating on said first image coating by selectively applying the coating to a portion of the treated glass fabric, said coating

applied from a chemical mixture comprising a polymeric binder and expandable chemicals, with said second coating being capable of creating distinct image pattern upon heating.

Allowable Subject Matter


2. Claims 1-3, 5-20, 23, and 24 are allowed.
3. The following is an examiner's statement of reasons for allowance: The prior art references of Edlund et al. (U.S. Patent No. 6,291,011) and Draxo et al. (U.S. Patent No. 6,337,104) have been shown by Applicant to be disqualified under 35 U.S.C. 103(c) as prior art. Applicant's terminal disclaimer filed on May 10, 2005 also overcomes the double patenting rejections made using these references. The combination of Jackson (U.S. Patent No. 5,876,551) and Melber (U.S. Patent No. 4,902,722) do not disclose or suggest impregnating the glass fabric using a water based chemical dispersion comprising starch and a polymeric binder. Jackson teaches various plastisols that are used to treat the glass fiber substrate (column 4, line 62 – column 5, line 25). However, using a water-based dispersion comprising starch and polymeric binder is not an obvious variant of these.

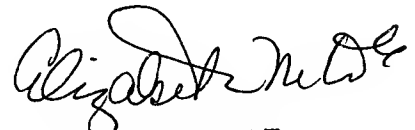
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Pierce whose telephone number is (571) 272-1479. The examiner can normally be reached on Monday-Friday between 9am and 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jeremy R. Pierce
May 23, 2005


ELIZABETH M. COLE
PRIMARY EXAMINER